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January 10, 2003

Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Notice of Ex Parte Communication*
Sprint NXX Rating and Routing Declaratory Ruling Petition
CC Docket No. 01-92

Dear Ms. Dortch:

This letter is to inform you that on December 17, 2002, Sprint, through its representatives, Charles McKee and Monica Barone, met with Jarrod Carlson, Joseph Levin, Stacy Jordan and Elias Johnson of the Wireless Telecommunications Bureau and Steve Morris and Victoria Schlesinger of the Wireline Competition Bureau, to address issues associated with the above referenced Petition for Declaratory Ruling.

Sprint expressed its continued concern regarding the treatment of wireless NXXs and the need for Commission action to resolve this dispute. Sprint also addressed questions raised in other recent *ex parte* presentations. A copy of the discussion points used in that meeting is attached hereto.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being electronically filed with your office. Please associate this letter with the file in the above referenced matter.

Respectfully submitted,



Luisa L. Lancetti

cc: Jarrod Carlson
 Joseph Levin
 Stacy Jordan
 Elias Johnson
 Steve Morris
 Victoria Schlesinger

**SPRINT PETITION FOR DECLARATORY RULING
RATING AND ROUTING
CC-01-92
EX PARTE PRESENTATION
DECEMBER 17, 2002**

*Sprint's Petition for Declaratory Ruling
is
Limited in Scope*

- Whether under current law:
 - Incumbent LECs may refuse to load numbering resources of an interconnecting carrier.
 - Incumbent LECs may refuse to honor rating and routing points designated by interconnecting carrier.

Sprint's Petition Does Not Address Virtual NXX Codes

- The FCC has defined virtual NXX codes as those that correspond with a particular geographic area that are assigned to a customer in a different geographic area.
 - *See Developing a Unified Inter-carrier Compensation Regime*, Docket No. 01-92, FCC 01-132, 16 FCC Rcd 9619, 9652, ¶ 115 (2001).
- Sprint's Petition addresses NXX codes assigned to customers within a particular geographic area being served within that geographic area.

CMRS Providers Do Not Provide Virtual Service When They Assign Different Rating and Routing Points for NPA-NXXs

- NPA-NXX is associated with local calling area of incumbent LEC.
- CMRS facilities are located in local calling area of incumbent LEC.
- CMRS providers are serving customers in the incumbent LEC's local calling area.

LECs Are Not Providing Service Outside of Their Local Calling Area

- Calls terminate within the exchange boundary.
- Should not be treated as presubscribed interexchange service.
- FCC rules and orders establish that the jurisdictional nature of a call is based upon the originating and terminating points of that call.
- Making arrangements to exchange traffic with a carrier outside the local calling area is not providing service any more than the current exchange of traffic with IXC's is providing service outside the exchange boundary.

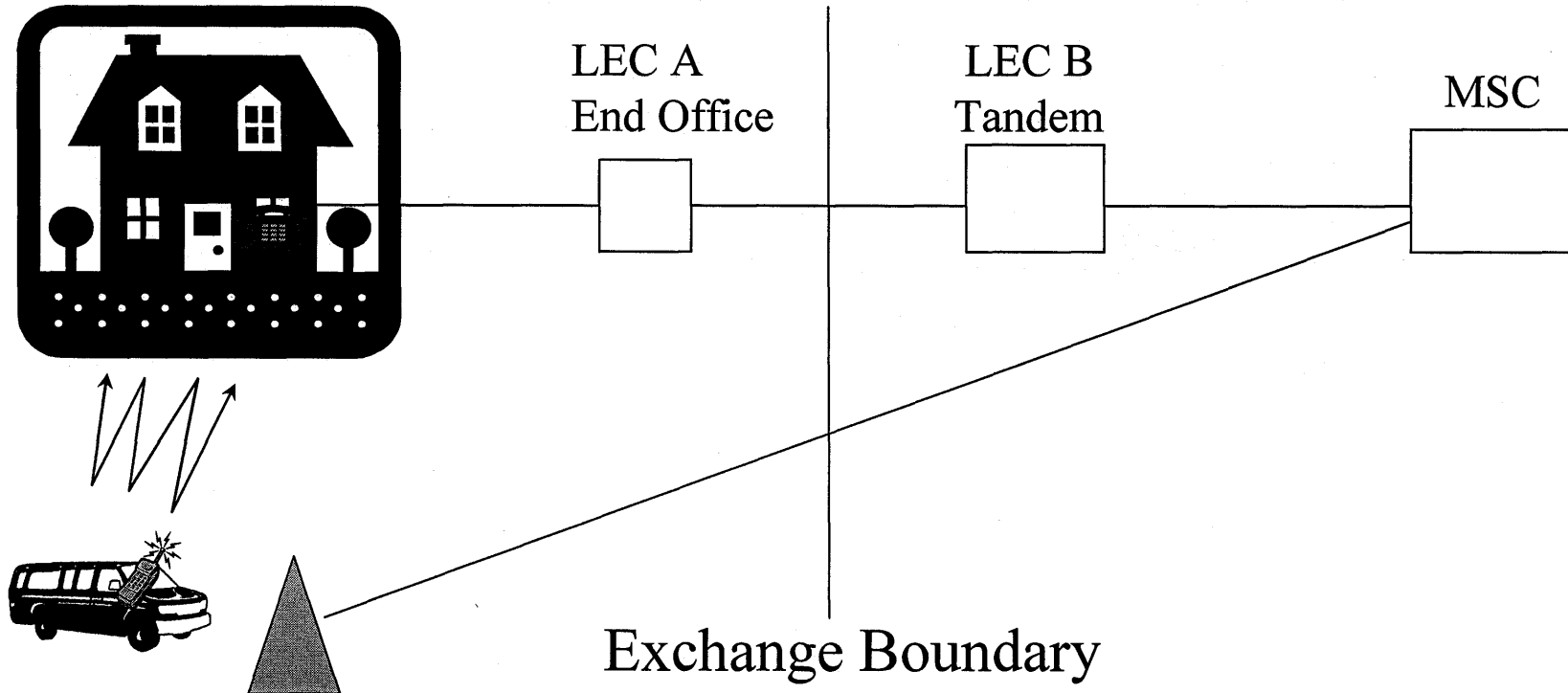
Establishing Different Rating and Routing Points Does Not Cause Incumbent LECs Economic Harm

- Because these calls are local, there is no toll revenue loss.
- LECs are compensated for cost of terminating wireless-originated traffic.
- Wireless traffic has increased total traffic volumes and therefore generates additional revenue for ILECs.
- Wireless carriers generally receive NO compensation for terminating ILEC originated traffic.

Conclusion

- Incumbent LECs may not refuse to load numbering resources of an interconnecting carrier.
- Incumbent LECs may not refuse to honor rating and routing points designated by interconnecting carrier.

GENERIC RATING AND ROUTING



1. CMRS provider obtains from NANPA a NPA/NXX rated from end office A rate center to serve local customers calling from home to wireless phone.
2. CMRS provider builds towers to provide wireless service in community where customer lives and markets service in LEC End Office A service area.
3. CMRS customer orders service from CMRS provider and is given a PCS number rate centered the same as LEC A End Office.
4. LEC A landline customers can call their PCS phones on a local basis.